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the verdict rendered in the state court, on which the judgment was based, was sustained by sufficient evidence and was rendered under proper instructions, and hence that the judgment was for a wilful and malicious injury, from which a discharge in bankruptcy would not relieve, under the rule that a judgment for damages under a count for trespass cannot lawfully be rendered, except on proof of a wilful and malicious injury.

Denial of the Right of a Foreign Corporation to Remove a Cause to the Federal Court.—The state of Mississippi by Laws 1908, c. 122, attempted to forfeit the right of a foreign corporation doing business in the state to engage in intrastate commerce within the state, if it removed any action against it in the state court to the federal court. The Supreme Court of Mississippi in passing on the validity of such act in *State v. Louisville & Nashville R. Co.*, 51 Southern Reporter, 918, points out that it may be a matter of great practical difficulty to separate the intrastate business of a carrier from its interstate business. Such act, however, was explicit in limiting the prohibition to intrastate business of corporations, and on its face it could not be held invalid under the commerce clause of the federal Constitution, unless the court went to the length of holding that a state altogether loses the right to exclude or regulate any foreign corporation whenever a part of its business is interstate commerce. As to this, the court said that the reserved right of the state to control the purely domestic business of a carrier was as sacred and should be as jealously guarded as the granted right of Congress to regulate its interstate business, and the power of the state was not lost because of the practical difficulty of severing the two kinds of commerce.

Judicial Notice of the Contracting of Disease by Animals.—Certain jacks were shipped from Columbia, Tenn., to Kansas City, Mo. The shipment passed into the control of several carriers, and it was claimed that by reason of the combined and joint negligence of the carriers the animals were permitted to contract disease from which a number of them died. In reviewing the evidence, the Court of Appeals of Missouri in *Gillespie v. Louisville & Nashville R. Co.*, 129 Southwestern Reporter, 277, found that there was no evidence tending to prove how long it took a jack to contract pneumonia after his exposure, and there was no testimony showing at what time the infection was communicated to the deceased animals. It is known from common experience that some diseases develop within a certain period, and that the time is not the same in all cases, or with all diseases, but the court does not know from such experience and cannot take judicial notice of the fact that pneumonia develops in a jack within 24 or 48 hours after his exposure. In fixing liability on the